

**From:** Jackson, Scott  
**To:** Diaz, Angelique  
**Subject:** RE: ND & SD mid-year mtg's  
**Date:** Wednesday, March 26, 2014 6:43:00 AM

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Thanks for the updates.

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**From:** Diaz, Angelique  
**Sent:** Tuesday, March 25, 2014 9:11 AM  
**To:** Jackson, Scott  
**Subject:** RE: ND & SD mid-year mtg's

Here is some updated language on DB.

- Uranium Industry/NESHAPs: The Dewey Burdock ISR operations requires a Radionuclide NESHAPs approval application for their ponds. As proposed, the ponds at the Dewey Burdock ISR facility will not be in compliance with Rad NESHAP Subpart W. The company (Powertech) does not consider the Subpart W an applicable regulation. If an application is received, Region 8 will have to process the application as SD does not have delegated authority for Rad NESHAPs, Part 61. The Final EIS for Dewey Burdock was issued January 2014 and Region 8 has provided comments to the NRC on their licensing action for this facility as it relates to Subpart W.

Regarding TENORM and ND there is no update. ND is working with Argonne to look at waste stream data and help to determine the best rad limit for waste disposal. I'm not sure of all the details, but EPA has not been involved in this from what I can tell. Here it is reworded, if you're looking for new language.

- Radiation and Oil and Gas: There is an interest in the radiation levels of various waste streams in the oil and gas industry. This material is referred to as TENORM (technologically enhanced naturally occurring radioactive material). EPA does not have any regulations regarding TENORM, and we understand that the state of North Dakota is working with Argonne National Lab to better understand the waste streams produced. EPA is taking this topic seriously and we are having internal discussions regarding O&G TENORM containing wastes streams. Note that there

may be transportation (e.g. DOT regs.) and disposal regulations concerning radionuclides that are applicable to oil and gas waste streams. [Only mention if asked about this topic.]

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**From:** Jackson, Scott  
**Sent:** Tuesday, March 25, 2014 8:50 AM  
**To:** Diaz, Angelique  
**Subject:** RE: ND & SD mid-year mtg's

Is there anything new to say on TENORM for ND? Also, do you want to leave the Dewey Burdock update to Chris?

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**From:** Diaz, Angelique  
**Sent:** Tuesday, March 25, 2014 8:49 AM  
**To:** Jackson, Scott  
**Subject:** RE: ND & SD mid-year mtg's

I don't have any updates.

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**From:** Jackson, Scott  
**Sent:** Tuesday, March 25, 2014 8:41 AM  
**To:** Diaz, Angelique; Razzazian, Christopher; Schiller, Ron; Olson, Kyle  
**Subject:** ND & SD mid-year mtg's

Hi,

The North Dakota and South Dakota mid-year meetings are next week. Below are the talking points from last year's meetings. Please take a look and provide updates for the topics related to your work area (Chris: NEPA, Kyle: DERA, Ron: Indoor Air, Angelique: Radiation).

**Please send this to me by COB this Friday.** Thanks! Scott

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#### **North Dakota talking points**

➤ NEPA: We are providing technical review on the air quality aspects of oil and gas related projects in ND. Projects areas include the Dakota Prairies Grasslands and Ft. Berthold Indian Reservation (both Bakken shale). The MT-Dakotas state BLM office is also coordinating several Resource Management Plans (RMP) for oil and gas on federal lands throughout eastern MT and western ND. BLM is also coordinating the Air Quality Technical Workgroup which the air directors of MT, ND and SD have had some involvement in.

➤ Indoor Air/Radon: ND is receiving partial funding of its 2012 allocation of SIRG grants for radon. Thus far, ND has received just under 50% (~\$30,000) of funding through the PPG but whether they receive the rest of the allocation is unknown due to sequestration.

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➤ Radiation and Oil and Gas: There has recently been an interest in the radiation levels of various waste streams in the oil and gas industry. This radiation is referred to as TENORM (technologically enhanced naturally occurring radioactive material). EPA does not have any regulations regarding TENORM. Internal discussions are being had regarding this topic. Note that there may be transportation (e.g. DOT regs.) and disposal regulations concerning radionuclides that are applicable to oil and gas waste streams. [Only mention if asked about this topic.]

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#### **South Dakota talking points**

➤ Uranium Industry/NESHAPs: The Dewey Burdock ISR operations requires a Rad NESHAPs application for their ponds. However, the company (Powertech) does not consider the Radionuclide NESHAP Subpart W an applicable regulation. If an

application is received, Region 8 will have to process the application as SD does not have delegated authority for Rad NESHAPs, Part 61. Air program has provided comments to R8 NEPA on the NRC's licensing action for this facility.

- DERA: SD has spent approximately 59% of its FY12-13 DERA funds. These funds need to be spent by September 30, 2014 to be eligible for the 2014 funds. All workplan commitments need to be complete and all deliverables must be received by 9/30/14, in order to be eligible for the FY14 funds. 2014 funds are expected to be comparable to FY2013 funds (\$72k), depending on the match etc.
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- Indoor Air/Radon: SD will be getting partial funding of its 2012 allocation of SIRG grants for radon. Thus far, SD has received 50% (~\$5,000) of funding but whether they receive the rest of the allocation is unknown due to sequestration.
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- NEPA: BLM's MT/Dakotas office continues work with its Air Quality Technical Workgroup which the states have been a part of.

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